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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/521,827	03/09/2000	Tony M. Brewer	10992150-1	2277

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EXAMINER

KIANERSI, MITRA

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 01/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/521,827

Applicant(s)

BREWER ET AL.

Examiner

mitra kianersi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Drawings

The drawings were received on Oct/21/2003. These drawings are approved.

Specification

The examiner acknowledges an amendment to the specification filed on Oct/31/2003.

Response to Argument

Applicant's arguments filed 10/31/2003 have been fully considered but they are not persuasive.

Applicant argues on page 9, lines 1-16, that amended claim 1 is allowable over the prior art because the prior art does not teach "establishing an association of a data entry with data operative transaction in a destination data base" and "preserving the association as long as the transaction is active in the network". Shambroom teaches that a secure connection for receiving and transmitting data is established between the client computer and the network server. (See abstract, lines 3-5)

Shambroom also teaches that the shell program creates records on the network server that maintain a record of the user's identity and use (i.e. time and date). As long as the user is logged on, the shell logon program exists. (See Col 4, lines 6-9)

In summery Shambroom invention relates to improving the security of data transmission between computers (corresponds to operating data transaction). See col 1, lines 6-7. For this reasons the instant invention, as currently broadly claimed in amended claim 1, is not allowable. The dependent claims 2-13 are also not allowable for this reason.

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Applicant argues on page 9, lines 21-30, that amended claim 14 is allowable over the prior art because the prior art does not teach "uniquely identifying data operative transaction". Shambroom teaches using client-identifying information and a secure authentication protocol, the network server may then obtain client-authentication information from a validation center (corresponds to a data operative transaction), see abstract, lines 4-6. The dependent claims 15-19 are also not allowable for this reason.

Applicant argues on page 10, that claim 20 is allowable for the same reason claim 1 is allowable. Because the arguments with respect to the allowableness of claim 1 were found unpersuasive, these same arguments are not persuasive with respect to the other independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by W.David Shambroom (U.S. Patent number 5,923,756).

1. Regarding independent claim 1, Shambroom teaches a method for executing a transaction in a network having a source site and a destination site, the method comprising the steps of (from a client computer to a destination, abstract, lines 1-3) transmitting an initial transaction request message from source site to destination site; receiving transaction request message at destination site; (corresponds to a secure connection for receiving and transmitting data is established, abstract, lines 3-5) establishing an association of a data entry with transaction in a destination database; (corresponds to obtaining data from a destination server, abstract, lines 13-15) and preserving association of data entry with transaction in destination database so long as transaction is active in network (corresponds to the shell program creating records on the network server that maintain a record of the user's identity and use (i.e. time and date). As long as the user is logged on, the shell logon program exists. (See Col 4, lines 6-9)

2. Regarding claim 2, Shambroom teaches a method comprising the further step of: executing transaction at destination site, thereby producing transaction results (col 4, lines 13-17).

3. Regarding claim 3, Shambroom teaches a method, where a prospective operation will override transaction results in a memory board (col 8, lines 46-54) and (col 11, lines 1-7) storing transaction results in destination database, thereby enabling retransmission of transaction results, if a further reservation request message is received at destination site (col 8, lines 19-30).

4. Regarding claim 4, Shambroom teaches a method of transmitting transaction results to source site over network (col 8, lines 42-44).

5. Regarding claim 5, Shambroom teaches a method of transmitting another transaction request message if no response is received from

destination site at source site within a source site time-out period (col 8, lines 7-12) and (col 9, lines 27-28).

6. Regarding claim 6, Shambroom teaches a method deleting initial transaction request message from the network if transaction request message does not reach destination site within a request message time-out period, wherein source site time-out period exceeds request message time-out period to prevent having two transaction request messages simultaneously in transmission through network (col 8, lines 64-67) and (col 9, lines 27-36).

7. Regarding claim 7, Shambroom teaches a method where upon receiving a duplicate transaction request message, identifying the data entry in the destination database established for transaction, acquiring transaction results; and retransmitting acquired transaction results to source site (col 1, lines 61-70).

8. Regarding claim 8, Shambroom teaches a method, wherein acquiring comprises retrieving transaction results from destination database (col 2, lines 6-18).

9. Regarding claim 9, Shambroom teaches a method acquiring comprises: executing transaction in response to duplicate transaction request message, thereby producing transaction results (col 5, lines 17-24) and (col 14, part 12-b).

10. Regarding claim 10, Shambroom teaches a method of receiving transmitted transaction results at source site; and transmitting, from source site to destination site, a release request to delete data entry associated with transaction in destination database (col 8, lines 51-58).

11. Regarding claim 11, Shambroom teaches a method of receiving at destination site, release request to delete data entry associated with transaction; and deleting, within destination database, data entry associated with transaction, thereby liberating space in destination database (col 11, lines 26-35).

12. Regarding claim 12, Shambroom teaches a method of transmitting, from destination site to source site, a release response message, thereby indicating that data entry associated with transaction in destination database has been deleted (col 15, part 16-c).

13. Regarding claim 13, Shambroom teaches a method wherein the source site includes a processor and an agent device, (col 3, lines 47-51) delegating step of transmitting initial transaction request message to agent device.

14. Regarding independent claim 14, Shambroom discloses a system for reliably executing a transaction at a destination site requested by a source site, the system comprising: (col 2, lines 6-11) and (Abstract, lines 1-3), transmitting an initial transaction request message to destination site from source site; (abstract, lines 3-5), executing a transaction associated with initial transaction request message at destination site; (col 4, lines 13-17), a reservation database at destination site for storing information uniquely identifying transaction (col 4, lines 2-9).

15. Regarding claim 15, Shambroom discloses a system, wherein the reservation database is a content addressable memory (col 8, lines 46-50) and (col 11, lines 1-7).

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16. Regarding claim 16, Shambroom discloses a system, wherein the source site comprises: a processor (col 3, lines 47-51) and the destination site comprises: a memory (col 8, line 51).

17. Regarding claim 17, Shambroom discloses a system, wherein the source site comprises: a processor agent device for conducting communication with destination site, thereby enabling processor to efficiently concentrate on other tasks (col 3, lines 47-51).

18. Regarding claim 18, Shambroom discloses a system, wherein the source site comprises: a source site database for preserving identification and a status of transaction until transaction is complete (col 8, lines 27-31).

19. Regarding claim 19, Shambroom discloses a system, wherein the processor agent device comprises: a timer for initiating a retransmission of transaction request message if no message responsive to initial transaction request message is received at processor agent device upon expiration of a retransmission time-out period (col 9, lines 18-35).

20. Regarding independent claim 20, Shambroom discloses a system for executing a transaction in a network having a source site and destination site, the system comprising: (abstract, lines 1-3) transmitting an initial transaction request message from source site to destination site; (Abstract 3-5) receiving transaction request: message at destination site; (Abstract, lines 3-5) for establishing an association of a data entry with transaction in a destination database; (abstract, lines 13-15) and preserving association of data entry with transaction in destination database so long as transaction is active in network (col 9, lines 46-54) and (col 4, lines 2-9).

21. Regarding claim 21, transactions of a memory read and write. (corresponds to the network server needs to act as if it has the identity and memory of the client server.(col 4, lines 2-4)

22. Claim 22 and 23 recite the same limitation as claim 21. Therefore, they are rejected by the same rationale.

23. Regarding claim 24, a method for executing a memory device control transaction in a network having a source site and a destination site, the method comprising the steps of:

- transmitting an initial transaction request message from source to destination site;(corresponds to integrity and security of messages transmitted from a client to a network server and then to a destination server or from the destination server to a network server and then to the client as part of a distributed computer system.(abstract)

- receiving transaction request message at destination site; (corresponds to establishing a secure connection for receiving data from a client, col18, part [e])

- establishing an association of a data entry with memory device control transaction in a destination database;(corresponds to obtaining data from a destination server, abstract, lines 13-15)

- Preserving association of data entry with memory device control transaction in destination database so long as transaction is active in network (See Col 4, lines 6-9)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (703) 305-4650. The examiner can normally be reached on 7:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703) 308-5221. The fax phone numbers

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for the organization where this application or proceeding is assigned are (703) 746-9923 for regular communications and (703) 746-9923 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Mitra Kianersi
December 31, 2003



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100